

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 31ST OCTOBER 2006 / 9TH KARTHIKA 1928

Bail Appl..No. 6295 of 2006()

CRMP.4495/2006 of I ADDL. DISTRICT COURT, KOLLAM
CRIME NO. 359/2006 OF PATHANAPURAM POLICE STATION
.....

PETITIONER/ACCUSED 1 & 2

1. SHANAVAS KHAN, AGED 40,
S/O.ABDUL AZEEZ, VENGAVILA KIZHAKKATHIL,
ALUVILA BHAGOM, KUNDAYAM, PATHANAPURAM,
KOLLAM DISTRICT.
2. ABDUL AZEEZ, AGED 71 YRS,
S/O.HASSAN RAWTHER, VENGAVILA KIZHAKKATHIL,
ALUVILA BHAGOM, KUNDAYAM, PATHANAPURAM,
KOLLAM DISTRICT.

BY ADV. SRI.T.K.FEROZE KHAN
SRI.K.P.SHAHUL HAMEED
SRI.RAJESH THOMAS

RESPONDENTS/STATE AND COMPLAINANT

1. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA.
2. THE SUB INSPECTOR OF POLICE,
PATHANAPURAM POLICE STATION,
KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31/10/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 6295/2006

DATED THIS THE 31ST DAY OF OCTOBER, 2006

O R D E R

The petitioners are accused 1 and 2 in crime No.359/2006 of Pathanapuram Police Station, for the offence punishable under Sections 323, 324, 308 and 341 IPC read with Section 34 IPC.

2. When the application came up for consideration, the learned Public Prosecutor submitted that the defacto complainant in this case, who sustained various injuries, was also accused in crime No.359/2006 of the same Police Station, for the similar offence. The defacto complainant and another injured were before this Court in B.A.No.5262/2006, and they were granted a pre-arrest order.

3. The prosecution submitted that there is Section 107 Cr.P.C proceedings pending against both the parties, before the Sub Divisional Magistrate Court, Kollam.

4. In the light of the facts situation, I direct the

petitioners herein, to surrender before the Investigating Officer of crime No.359/2006 of Pathanapuram Police Station, on 6.11.2006 between 10.00 a.m and 10.30 a.m.

5. The Investigating Officer shall interrogate the petitioners and in the event of their arrest, they shall be released on bail, on each petitioner executing a bond for Rs.15,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting them.

6. The petitioners shall report before the Investigating Officer, as and when required till 30.11.2006, for the purpose of the completion of the investigation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrCS